

**Notice of Allowability**

Application No.

10/058,772

Applicant(s)

BROWN ET AL.

Examiner

Art Unit

Ting Zhou

2173

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/20/2006.
2. ☒ The allowed claim(s) is/are 1,3-5,7-10,12-14,16-19,21-23 and 25-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>1/18/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                              | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

1. The amendment filed on 20 March 2006 have been received and entered. The applicant have amended independent claims 1, 10 and 19 to incorporate allowable elements of dependent claims 2, 11, 20, previously indicated as allowable subject matter in the final office action dated 21 December 2005, and correspondingly cancelled claims 2, 11 and 20. Claims 1, 3-5, 7-10, 12-14, 16-19, 21-23 and 25-27 as amended are pending in the application.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Amy Pattillo (Reg. No. 46,983) on 31 March 2006.

3. The application has been amended as follows:

4. Claim 19 is amended to read:

Claim 19. A program for automatic window representation adjustment, residing on a computer storage medium having computer readable program code means, said program comprising:

means for detecting a separate level of current activity performed by at least one component of a computer system in association with each of a plurality of window elements within a graphical interface;

means for automatically controlling performance of at least one of minimizing at least one of said plurality of window elements and maximizing at least one of said plurality of window elements as triggered by an adjustment to at least one said separate level of current activity in relation to a threshold level for said current activity, such that a representation of each of said plurality of window elements is graphically represented, wherein minimizing said window element when said separate level of current activity adjusts less than a threshold level comprises reducing said window element from a graphical window to a graphical icon representing said graphical window, wherein maximizing said window element when said separate level of current activity adjusts greater than a threshold level comprises increasing said window element from a minimized graphical icon representing said window element to a full graphical window;

means for automatically controlling adjustment of a position of each of said plurality of window elements within a z-order of a plurality of windows displayed within said graphical interface to reflect said graphical representation of each of said plurality of window elements ordered according to each said separate level of current activity; and

means for controlling display within a separate window element within said graphical interface a graphical representation of each of said plurality of window elements ordered according to each said separate level of current activity.

*Allowable Subject Matter*

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5. Claims 1, 3-5, 7-10, 12-14, 16-19, 21-23 and 25-27 are allowed.

6. The following is an examiner's statement of reasons for allowance: The present invention is directed to a method for automatically adjusting window representations within a graphical user interface based on a separate level of current activity for each of a plurality of window elements. Each of the independent claims identifies the distinct feature of automatically adjusting a position of each of the plurality of window elements within a z-order of a plurality of windows displayed within the graphical user interface to reflect the graphical representation of each of the plurality of window elements ordered according to each separate level of current activity. The closest prior art, Microsoft® Windows, copyright 1998, teaches the detection of a separate level of current activity for each of a plurality of window elements and adjusting the displayed window representations within the graphical user interface based on the detection. However, Microsoft® Windows does not teach automatically adjusting the z-order position of the plurality of displayed windows in accordance with the order of the windows displayed in the graphical representation of the separate level of current activity of the plurality of windows, i.e. the displayed "Task Manager" window. Thus, the prior art fails to anticipate or render the above limitations obvious.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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KIEU D. VU  
PRIMARY EXAMINER